IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

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WRIT PETITION NO : 5167 of 2000

Between:

1 Reguroopula Sailu S/o. Narasaiah
R/o. H.No. 5-4-236, situated at Gopal Bagh, Popularly known as

Dwarakanagar, Nizamabad Town and District.
2 Sundu Chinna Yadaiah S/o. Pentaiah
R/o. H.No. 5-4-207 situated at Gopal Bagh, Popularly known as

Dwarakanagar, Nizamabad Town and District.
3 Smt. Sallapuram Ramavva W/o. Pentaiah
R/o. H.No. 5-4-225 situated at Gopal Bagh, Popularly known as

Dwarakanagar, Nizamabad Town and District.
4 Konne Yadaiah Swamy S/o. Konne Ilaiah
R/o. H.No. 5-4-242/1 situated at Gopal Bagh, Popularly known as

Dwarakanagar, Nizamabad Town and District.
5 Basapuram Laxmi W/o. Mallaiah
R/o. H.No. 5-4-176/16 situated at Gopal Bagh, Popularly known as

Dwarakanagar, Nizamabad Town and District.
6 Mangoli Yadaiah S/o. Mallaiah
R/o. H.No. 5-4-222 situated at Gopal Bagh, Popularly known as

Dwarakanagar, Nizamabad Town and District.
7 Kommu Rangaiah S/o. Pochaiah
R/o. H.No. 5-4-232 situated at Gopal Bagh, Popularly known as

Dwarakanagar, Nizamabad Town and District.
8 Sundu Yellaiah S/o. Rajaiah
R/o. H.No. 5-4-212 situated at Gopal Bagh, Popularly known as

Dwarakanagar, Nizamabad Town and District.
9 Smt. Sundu Balamani @ Laxmi W/o. Narsaiah
R/o. H.No. 5-4-234 situated at Gopal Bagh, Popularly known as

Dwarakanagar, Nizamabad Town and District.
10 Lingampalli Ramulu S/o. Mallaiah
R/o. H.No. 5-4-224 situated at Gopal Bagh, Popularly known as

Dwarakanagar, Nizamabad Town and District.
11 Kadamanchi Ramulu S/o. Chandraiah
R/o. H.No. 5-4-197 situated at Gopal Bagh, Popularly known as

Dwarakanagar, Nizamabad Town and District.
12 Jangiti Mallaiah S/o. Yellaiah
R/o. H.No. 5-4-220/1 situated at Gopal Bagh, Popularly known as

Dwarakanagar, Nizamabad Town and District.
13 Jangiti Balaiah S/o. Yellaiah
R/o. H.No. 5-4-242 situated at Gopal Bagh, Popularly known as

Dwarakanagar, Nizamabad Town and District.
14 Nagulapalli Mallaiah S/o. Sidde Yellaiah
R/o. H.No. 5-4-226 situated at Gopal Bagh, Popularly known as

Dwarakanagar, Nizamabad Town and District.
15 Pidugu Uppalaish S/o. Bala Mallaiah
R/o. H.No. 5-4-217/7 situated at Gopal Bagh, Popularly known as

Dwarakanagar, Nizamabad Town and District.
16 Gudepu Balaiah @ Balamallu S/o. Sailu
R/o. H.No. 5-4-242/10 situated at Gopal Bagh, Popularly known as

Dwarakanagar, Nizamabad Town and District.

..... PETITIONERS

AND

1 The A.P. TRANSCO Rep. by its Chairman and Managing Director, Hyderabad.
2 The Superintending Engineer Electrical (Operations) AP Transco Nizamabad.
3 The Divisional Engineer (Operations) AP Transco, Nizamabad.
4 The Asst. Divisional Engineer (Operations) AP Transco, Nizamabad.
5 The Addl. Assistant Engineer (Operations) D.II, AP Transco, Nizamabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more in the nature of Writ of Mandamus directing the Respondents herein to given power supply to the huts of the petitioners herein situated at Gopal Bagh, presently known as Dwarakanagar, Nizamabad town and District by duly declaring the Letter No. A.A.E/OP/D-II-NZB/D.No. 584, dt 20-1-2000 issued by the 5th Respondent by holding that the power cannot be supplied unless

the petitioners produce ownership certificates or registered documents to show their title or 'No/objection Certificates' from the Municipality, Nizamabad based on the opinion given by the standing legal advisor of A.P. TRANSCO even though the petitioners are in lawful possession pursuant to the orders passed by the Subordinate Judge, Nizamabad in I.A.No. 50/94 in O.S.No. 7/94, dt 2-2-1994 as illegal, arbitrary and violative of Art. 14 & 21 of the Constitution of India as well as contrary to the true intent of condition Nos. 3.1 and 3.2 of A.P.S.E.B. Terms and conditions of supply.

Counsel for the Petitioners: MR.V.RAVI KIRAN RAO

Counsel for the Respondents: MR.K.N.JWALA

The Court made the following :

O R D E R:

The petitioners, who are sixteen in number, claiming to be the residents of Gopal Bagh, filed the writ petition questioning the orders dated 20-01-2000 issued by the Additional Assistant Engineer (Operations) D-II, A.P.Transco, Nizamabad-fifth respondent. In the said proceedings, the fifth respondent demanded the petitioners for production of ownership certificates or no objection certificates from the Municipality for release of service connections to their huts.

On filing the writ petition, this Court by order dated 21-04-2000 directed the respondents to give power supply to the huts of the petitioners in accordance with law. Though the writ petition is of 2000, no counter affidavit is filed. It is submitted by the learned counsel for the petitioners that in view of the interim directions of this

Court dated 21-04-2000, service connections were already granted to the petitioners.

In view of the interim directions, I dispose of the writ petition directing the respondents to continue the power supply to the houses/huts of the petitioners. If for any valid reason, power supply is to be disconnected, it is open for the respondents to issue prior notice to the petitioners and take steps accordingly.

Subject to the above directions, the writ petition is disposed of. No order as to costs.

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21-06-2005

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To

1 The A.P. TRANSCO Rep. by its Chairman and Managing Director Hyderabad.
2 The Superintending Engineer Electrical (Operations) AP Transco Nizamabad.
3 The Divisional Engineer (Operations) AP Transco, Nizamabad.
4 The Asst. Divisional Engineer (Operations) AP Transco, Nizamabad.
5 The Addl. Assistant Engineer (Operations) D.II, AP Transco, Nizamabad.

6 Two C.D. copies.